

Appl. No. : 10/660,927
Filed : September 12, 2003

REMARKS

Presently Claims 1-16 are pending in the application. By this paper, Applicant continues to prosecute Original Claims 3 and 12-16, Claims 1, 2, and 4-11 have been amended, and New Claims 17-24 are presented for examination on the merits. Accordingly, Claims 1-24 are now before the Examiner. The Amendments to the Claims are made without prejudice or disclaimer and serve only to clarify any ambiguity that may have existed in the Original Claims. Support for the Amended and New Claims can be found throughout the specification and the claims as originally filed (e.g., *see* page 3, lines 30 and 31; page 4, lines 1-30; page 5, lines 23-25; page 6, lines 1-11; and page 21, lines 3-14; i.e., paragraphs 10-12, 17, and 141 of the published application). Accordingly, no new matter has been introduced by the amendments.

Claim rejections under 35 U.S.C. §112

The Examiner has rejected Claims 1-16 under 35 U.S.C. §112 second paragraph on the grounds that the word "enriched" is unclear. Applicant has amended the claims such that they no longer recite the word "enriched." Applicant respectfully requests that the rejection under 35 U.S.C. §112 be withdrawn.

Claim rejections for obviousness –type Double Patenting

The Examiner has rejected the claims for obviousness-type double patenting over U.S. Pat. No. 6,242,479 and 6,048,891 and has provisionally rejected the claims over U.S. Pat. App. Nos. 10/661,336 and 10/372,510. Applicants submit herewith a terminal disclaimer to overcome the rejections and provisional rejections.

CONCLUSION

Based on the foregoing, Applicants respectfully submit that the application is now in condition for allowance and such action is earnestly solicited. The undersigned has made a good faith effort to respond to all of the rejections in the case and to place the claims in condition for immediate allowance. Nevertheless, if any undeveloped issues remain or if any issues require clarification, the Examiner is respectfully requested to call Applicant's attorney, Eric S. Furman at (619) 687-8643 (direct line), to resolve such issue promptly.

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No fees are seen as being necessary for the filing of this paper. However, the Commissioner is authorized to charge any fees in connection with this paper to Deposit Account No. 11-1410.


Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR, LLP

Dated: _____

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By: _____


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